

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 29, 1948
10:50 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

Roll call

Present: Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Absent : None

Present also: Guiton Morgan, City Manager; J. E. Motheral, Director of Public Works; Joe Roberts, Assistant City Attorney; and R. D. Thorp, Chief of Police.

The reading of the Minutes was dispensed with.

Emmett Shelton came before the Council and requested that the road connecting the Bee Cave Road with the low water bridge across the Colorado River be named REDBUD TRAIL, the same being a continuation of a street in his Addition by that name. The request was granted.

Kenneth Martin, 605 West 15th Street, came before the Council and requested permission to place a floating ski dock in Lake Austin near the Walsh Place for his own use and also for rental to other persons. Applicant was asked to submit his request in writing, giving full details of what he proposes to do, for consideration by the City Manager and the Legal Department.

Mrs. Meta A. Avera, 2908 Rio Grande Street, came before the Council and registered a complaint against the dog kennel at 2910 Rio Grande Street, declaring that the sanitary conditions there were very bad. The matter was referred to the City Manager and the Health Department for attention.

The Council approved the proclamation to be issued by the Mayor indorsing the Cancer Drive.

It was moved by Councilman Thornberry that, as a means of assisting the Health Department in its campaign against polio, the City Manager be instructed to have those charged with the enforcement of the ordinance to call on property owners to connect with the sanitary sewer wherever possible, and to improve sanitary conditions around their premises generally. The

motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Councilman Glass offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the layout and general floor plans for the proposed livestock and recreation building on the Butler Tract have been revised by the firm of Fehr and Granger, Architects, and have been submitted to all interested organizations; and

WHEREAS, same is hereby approved by the City Council and it is the intention of the Council to proceed with plans and specifications so that bids for construction may be taken at an early date, provided the construction cost is within the monies available for this purpose; Therefore,

BE IT RESOLVED BY THE CITY COUNCIL:

THAT the City Manager is hereby authorized to enter into a contract with the firm of Fehr and Granger for the necessary architectural services in accordance with a letter from said firm dated April 28, 1948, and being attached hereto.

(Letter attached)

"April 28, 1948

Honorable Mayor and Members of the Council
Municipal Building
Austin, Texas

Members of the Council:

Upon the authorization of the City Council and Mr. Morgan, the firm of Fehr and Granger, Architects, is prepared to develop complete plans and specifications for the conversion of the Butler hangar structure to an all-purpose Coliseum building.

The architectural fee for this service is 6% of the total cost of construction as determined by the sum of the awarded contracts. In the computation of this cost, the Butler hangar trusses and covering material would not be considered but the handling and erection of same would be included in the cost of construction.

The architectural service consists of the necessary conferences, correspondence, preparation of preliminary studies, working drawings, specifications, large and full-size details, architectural supervision of construction, and the services of our structural and mechanical engineers.

Cordially,

28 April 1948 "

Fehr & Granger, by (Sgd) Arthur Fehr.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Pursuant to published notice thereof, the public hearing on the application of Mrs. J. W. Templer to amend the Zoning Ordinance in the following particulars:

To amend the USE designation of the following described property so as to change the same from "A" Residence District to "C" Commercial District:

Lots 1, 2, 3, and 4, of Templer Lots Subdivision,
located at southeast corner of Fredericksburg Road
and West Gibson Street in the City of Austin, Travis
County, Texas,

was duly opened.

No property owner or other interested person appearing to protest the proposed change, Councilman Thornberry moved that the action of the Board of Adjustment be sustained and the change be granted, and the City Attorney be instructed to prepare the ordinance. The motion was seconded by Councilman Johnson, and the same carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

It was the sense of the Council that action on the following zoning changes now pending be postponed to the next regular meeting:

Lewis R. Fisher, from "A" Residence to "B-1" Residence, of property located between West 19th and West 22nd Streets and between Cliff Street and alley east of David Street;

S. R. Fulmore, Agent, from "A" Residence to "C" Commercial, of property fronting Shirley Avenue in Plaza Place, about three blocks long;

W. A. Driscoll & W. D. Moritz, from "A" Residence to "C" Commercial, of property located between Alice Avenue and Bellvue Avenue south of West 42nd Street;

A. C. Gade, Lessee, from "C" Commercial to "C-1" Commercial, of property located at the southwest corner of 19th and San Antonio Streets

A letter from Geo. S. Matthews, County Judge of Travis County, advising of the appointment by the Travis County Commissioners Court of Mrs. T. C. McCormick as a member of the Austin-Travis County Tuberculosis Sanatorium Board to succeed Mrs. H. W. Sauer, resigned, subject to approval of same by the City Council, was received.

Councilman Glass moved that the action of the Travis County Commissioners Court be confirmed and the said Mrs. T. C. McCormick be appointed as a member of the Austin-Travis County Tuberculosis Sanatorium Board to succeed Mrs. H. W. Sauer, resigned. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry
Noes : None

The Council then directed that a letter be sent to Mrs. H. W. Sauer thanking her for services rendered while a member of Austin-Travis County Tuberculosis Sanatorium Board .

The following report of the Board of Adjustment was received:

ZONING BOARD OF ADJUSTMENT
AUSTIN, TEXAS
ZONING CHANGE RECOMMENDATIONS

Applicant : D. Milicia, owner, and Calvin C. Riggs and W. P. Whited,
Lessees.

I. Referred to the Board by the City Council on: April 15, 1948

II. Property affected:

Lot 11, Pace Addition, Outlot 12, Division #0#, being known as
2713 East 5th Street

III. To be changed

From: #D# Industrial District

To : #C-1# Commercial District

IV. Considered by the Board on : April 26, 1948

V. Parties appearing:

For : Calvin C. Riggs

Against: Robt. B. Thrasher, representing various property owners.

VI. Action of the Board: Change not recommended

For the following reasons:

1. Several previous requests for zoning changes on this lot and property across the street have been considered by both the Board of Adjustment and the City Council and were denied for the following reasons:

Opposition from property owners in this area has been expressed at each hearing.

The property in this neighborhood is zoned for industrial purposes and the proposed change would place a more restricted district in the center of an industrial area adjacent to the railroad tracks and in a section of the City where industrial development is encouraged and shown on the master plan of the City.

Small, isolated zones for limited use by only one individual should not be established since they would be difficult to regulate and police.

2. The Board still feels that it is unwise to make this change for the same reasons and that the sale of beer, wine and liquors should be confined to the zones in which it is now permitted.

(Sgd) H. F. Kuehne
Chairman.

Councilman Glass moved that a public hearing on the above change be called for Thursday, May 20, 1948, at 11:00 A. M. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The following report of the Board of Adjustment was received:

#ZONING BOARD OF ADJUSTMENT
AUSTIN, TEXAS
ZONING CHANGE RECOMMENDATION .

Applicant: Mr. and Mrs. Walter F. Kuehne

I. Referred to the Board by the City Council on : April 15, 1948

II. Property affected:

Lots 1 and 2, Block 141, of the Original City of Austin, being located at the northeast corner of East 11th and Sabin Streets

III. To be changed

From : #B# Residence District and First Height and Area District

To : #C# Commercial District and First Height and Area District

IV. Considered by the Board on : April 26, 1948.

V. Parties appearing:

For : Mrs. Walter F. Kuehne

Against:None

VI. Action of the Board: Change recommended to include Lots 1 and 2, Block 141, also Lots 5 and 6, Block 118, and also Lots 3 and 4

of this block, and Lots 3 and 4 of Block 140, all of the Original City.

For the following reasons:

1. This application is for a change of zoning on two lots which are located south of property owned by the Samuel Huston College and occupied by a science hall and being used temporarily as a trailer housing project for students across 11th Street from the former Bickler School which is now being used as offices by the Austin School Board, and also across 11th Street from a non-conforming commercial building at the southwest corner of the intersection. The property across Sabine Street is covered with sub-standard Negro and Mexican dwellings which virtually create a slum condition.
2. The applicant affirms that the property requested to be changed is no longer desirable for residential purposes because of these surrounding conditions and is asking for a commercial zone.
3. Since this application was filed, Mrs. Porfiria M. Velasquez, Louis Silberstein, Mrs. Mary Stephens, Mrs. Julius Alexander, and Henry Wendlandt for the A. T. Quisenberry Estate, have either joined the appellant and asked that their property be included in the change or have expressed themselves as having no objection to being included.
4. The Board deemed that it would be advisable to change all of the property on the north side of East 11th Street between the present commercial zone along Red River Street and East Avenue and that on the south side between the commercial zone and Sabine Street to a "C" Commercial District because of changing conditions in this section of the City and because of development on adjacent property.

(Sgd) H. F. Kuehne
Chairman. #

Councilman Thornberry moved that a public hearing on the above change be called for Thursday, MAY 20, 1948, at 11:00 A. M. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The following report of the Board of Adjustment was received:

#ZONING BOARD OF ADJUSTMENT
AUSTIN, TEXAS
ZONING CHANGE RECOMMENDATION .

Applicant: A. F. White, by his attorney, Robt. B. Thrasher

I. Referred to the Board by the City Council on : April 15, 1948

II. Property affected:

Lots 14, 15, and 16, Block M, of Bouldin Addition, being located at the northwest corner of West Mary and South 4th Streets, and locally known as 900-902 West Mary Street.

III. To be changed

From : "A" Residence District

To : "C" Commercial District

IV. Considered by the Board on : April 26, 1948

V. Parties appearing:

For : Robt. B. Thrasher and A. F. White

Against:None

VI. Action of the Board: Change not recommended

For the following reasons:

1. The property requested to be changed includes one lot on which a change of zoning was requested in July of 1945 and which was denied. The applicant stated that he proposes to erect commercial buildings on the corner lot, but has no immediate plans for the other two lots, which were included to prevent the classification of spot zoning, and that he does not intend to change the status of development on the west lot which now has two residences located thereon.
2. There is a designated Community Center at the four corners of the intersection of West Mary and South 5th Streets, there being three lots between the commercial zone in this block and the lots requested to be changed which would remain in a residential zone.
3. This application is not in response to any general public demand for additional business property in this area and a large portion of the present Community Center is still undeveloped for commercial uses, and this change would create a spot zone which would not be in conformity with any comprehensive plan, but only for the purpose of permitting commercial development on a portion of that property requested to be changed.
4. The Board deemed that inasmuch as the present community center has not developed and there is ample commercial property available for meeting the needs of this section of the City which should first be developed and if greater demand for commercial establishments occurs in the future, could be extended as a logical zoning procedure.

(Sgd) H. F. Kuehne
Chairman.

Councilman Thornberry moved that a public hearing on the foregoing change in zoning be called for Thursday, May 20, 1948, at 11:00 A. M. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The following report of the Board of Adjustment was received:

#ZONING BOARD OF ADJUSTMENT
AUSTIN, TEXAS
ZONING CHANGE RECOMMENDATION .

Applicant : C. R. Sears

I. Referred to the Board by the City Council on : April 15, 1948

II. Property affected:

The west 109 feet of Lot 7, Block 12, Westfield A, being located on the south side of Windsor Road west of Sharon Lane.

III. To be changed

From : #A# Residence District

To : #B-1# Residence District

IV. Considered by the Board on : April 26, 1948

V. Parties appearing:

For : C. R. Sears

Against: Mr. and Mrs. B. M. Steiner, Henry B. Cain, Geo. W. Estaver, Jr., John F. Teer, Harry L. Kent, Jr., O.H. Howard, and Mrs. Ruth C. Scott.

VI. Action of the Board: Change not recommended.

For the following reasons:

1. This application is for a change of zoning on one lot in the center of a block which is zoned and developed for #A# Residence purposes, for the reason that the applicant wishes to erect a four-unit apartment house on the property, affirming that he has sufficient area to permit two duplex residences which would be more expensive to erect than the apartment house.
2. Vigorous opposition to this change was expressed by adjacent property owners who have developed their property as homes and do not want apartment houses in the neighborhood, on the grounds

that this type of use would lower the value of their property for homes and that since most apartment houses are maintained by an owner who does not live on the premises, the property is not maintained in keeping with other development and that the occupants of apartment houses are more or less transient and not permanent tenants.

3. The Board deemed that to grant this change would be creating a spot zone in an "A" Residence District, developed for that purpose in order to benefit one property owner financially and not in response to any public demand for a "B-1" Residence zone, as shown by the opposition expressed, and further deemed that this area is not a desirable or proper location for a "B-1" Residence District since this entire area is "A" Residence and is so being developed, with the exception of the Community Center at the intersection of Windsor Road and Exposition Boulevard, and that the changing of a single parcel of property would be contrary to all zoning principles and declared policy of the City Council expressed in the Ordinance that this area should be "A" Residence District and its use and values stabilized for the public good and protection of the many citizens who have built homes in this area.

(Sgd) H. F. Kuehne
Chairman.

Councilman Glass moved that a public hearing on the above change in zoning be called for Thursday, May 20, 1948, at 11:00 A. M. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry
Noes : None

The application of Rogan B. Giles for change in zoning, from "A" Residence District to "C" Commercial District, of property located on the west side of Airport Boulevard from Manor Road north to 38 $\frac{1}{2}$ Street, was received. Councilman Johnson moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry
Noes : None

The application of Richard G. Avent for change in zoning, from "A" Residence District to "B" Residence District, of Outlot 15, Division "E", Unplatted, was received. Councilman Johnson moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry
Noes : None

The following report of the Board of Adjustment was received:

" April 28, 1948

Honorable Mayor and City Council
Austin, Texas

Gentlemen:

On August 17, 1945, the Board of Adjustment submitted to the City Council a recommendation for the establishment of a larger industrial area in the eastern section of the City along the railroad tracks with a map attached to the recommendation showing the area recommended to be changed, to which recommendation and map reference is herein made. Since this recommendation was made, several small changes in the classification of this property have been made spasmodically and new industries have been located in this area and beyond the City limits between the Airport Boulevard and the eastern City limits.

In view of the present movement for bringing desirable industry into Austin as contemplated by the Austin Area Economic Development Foundation, the Board of Adjustment again wishes to urge upon the City Council to re-zone the area shown on the attached map as "D" Industrial District so that ample space will be available for any new industries which desire to locate in the City of Austin, and it would be not less than paradoxical if the Austin Area Economic Development Foundation would persuade industries to locate here and then the industries would find no suitable area for developing their enterprises. The piecemeal changing of property is not desirable or conducive for industry to locate here due to the embarrassing delays involved in determining whether any site selected by them as suitable can be used for their particular activity. Complaints have been voiced over this procedure, and if the Council approves the policy of bringing desirable high-class industry into this City it certainly should make land available in the area which is most logical for it where railroad facilities already exist without subjecting prospective investors to the irksome and time-consuming procedure of having individual lots or parcels of land made available.

The Board trusts that the Council will give this serious consideration and by definite means assist the sponsors of the Economic Foundation to encourage the development of this area for industrial uses.

Respectfully submitted,

BOARD OF ADJUSTMENT

By (Sgd) H. F. Kuehne
Chairman

Councilman Thornberry moved that a public hearing on the change in zoning to "D" Industrial District of the area recommended in the foregoing report of the Board of Adjustment be called for Thursday, May 27, 1948, at 11:00 A. M. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

- (1) A gas main in CLARKSON AVENUE, from a point 189 feet north of Chestnut Avenue northerly 365 feet, the centerline of which gas main shall be 7.5 feet east of and parallel to the west property line of said Clarkson Avenue.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (2) A gas main in HARRIS PARK AVENUE, from Landon Lane northerly 162 feet, the centerline of which gas main shall be 13.5 feet west of and parallel to the east property line of said Harris Park Avenue.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (3) A gas main in FRANKLIN BOULEVARD from a point 138 feet east of Chesterfield Avenue easterly 198 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said Franklin Boulevard.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (4) A gas main in EAST 7TH STREET from Morelos Street easterly 342 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said East 7th Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (5) A gas main in HOLLYWOOD AVENUE, from a point 59 feet north of Edgewood Avenue south to Edgewood Avenue, the centerline of which gas main shall be 12.5 feet west of and parallel to the east property line of said Hollywood Avenue.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (6) A gas main in EDGEWOOD AVENUE from Hollywood Avenue easterly 27 feet, the centerline of which gas main shall be 12.5 feet south of and parallel to the north property line of said Hollywood Avenue.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (7) A gas main in HOLLYWOOD AVENUE from Edgewood Avenue southerly 338 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said Hollywood Avenue.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (8) A gas main in SOUTH 1ST STREET from a point 140 feet south of Fletcher Street southerly 373 feet, the centerline of which gas main shall be 7.5 feet east of and parallel to the west property line of said South 1st Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

And that whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The Mayor laid before the Council for its second reading, the following ordinance:

AN ORDINANCE VACATING AND CLOSING THAT PORTION OF SUNSET LANE IN THE CITY OF AUSTIN FROM THE NORTH LINE OF ALGARITA AVENUE NORTHERLY TO THE SOUTH LINE OF OAKWILDE LANE AND RETAINING EASEMENTS FOR ALL UTILITIES IN THE CITY OF AUSTIN.

The ordinance was read the second time and Councilman Johnson moved that the ordinance be passed to its third reading and laid over. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The ordinance was then laid over .

The Mayor laid before the Council for its third reading, the following ordinance:

AN ORDINANCE REGULATING THE OPERATION OF MOTOR VEHICLES, MOTORCYCLES, MOTORBIKES, MOTOR SCOOTERS, AND OTHER MOTOR-DRIVEN DEVICES OR VEHICLES, IN PUBLIC PLAYGROUNDS; AND PROVIDING A PENALTY FOR VIOLATION.

The ordinance was read the third time and Councilman Thornberry moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The Mayor then declared that the ordinance had been finally passed.

Councilman Bartholomew introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 12(b) OF ARTICLE III RELATING TO STOP SIGN LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Bartholomew moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The ordinance was read the second time and Councilman Bartholomew moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The ordinance was read the third time and Councilman Bartholomew moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Thereupon the Mayor declared that the ordinance had been finally passed.

Councilman Bartholomew introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN ORDINANCE BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON A 14 ACRE TRACT OUT OF OUTLOT 48, DIVISION B, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Bartholomew moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The ordinance was read the second time and Councilman Bartholomew moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The ordinance was read the third time and Councilman Bartholomew moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Thereupon the Mayor declared that the ordinance had been finally passed.

The following applications for private boat licenses, duly approved by the Navigation Board, were submitted:

<u>Owner</u>	<u>Description</u>
Chouston, Willis, J.--6225 Georgetown Road	Higgins, Outboard, 1947 Model, Sea King, 4-passenger
Dickson, Thomas I., Jr.--2204 Nueces Street	Square-end Canoe, Outboard, Wizzard, 3-passenger
Fosberg, Leonard J.--Hutto, Texas, Route 1, Box 7	Ventnor, Runabout, Johnson, 4-passenger
James, Menora, 4111 Guadalupe Street-	Home-made, Cabin, "Les", Chrysler, 6-passenger
Kokernot, John W.--3312 Beverly Road -	Chris Craft, Inboard, Chrysler, 6-passenger
Robinson, E. E.--Cedar Valley, Route 1-	Shop-made, 1946 Model, Johnson, Outboard, 4-passenger
Smith, Carl, 1404 Gaston Avenue -	Century, Runabout, Outboard, 1941 Model, Evenrude, 4-passenger
Tisdale, Jack, Cedar Valley	Higgins, Molded plywood, 1945 Model, Johnson, Outboard, 3-passenger

Councilman Johnson moved that the licenses be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The following application for a commercial boat license, duly approved by the Navigation Board, was submitted:

<u>Owner</u>	<u>Description</u>
Park, J. W., Route 7, Box 162	Fishing Boat, Outboard, 1947 Model, "Billy", 7-passenger

Councilman Johnson moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Councilman Thornberry offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Councilman Bartholomew and Councilman Glass be and they are hereby appointed as a committee to canvass the returns of the election held in the City of Austin, Texas, on April 27, 1948, and they are hereby instructed to report to the City Council the result of such canvass.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Councilman Thornberry then offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a special election was held in the City of Austin, Texas, on the 27th day of April, 1948, pursuant to the provisions of Chapter 325, Acts of the 50th Legislature of the State of Texas, Regular Session, 1947, being House Bill No. 34, and pursuant to an ordinance passed by the City Council December 11, 1947, at which election there was submitted to the qualified voters of the City of Austin for their action thereon the proposition of whether or not the City of Austin shall adopt the provisions of said House Bill 34 which is an Act creating a Firemen's and Policemen's Civil Service in cities having a population of 10,000 inhabitants or more; and

WHEREAS, the City Council of the City of Austin has this day canvassed the official returns of said special election as made and reported by the officers of said election of the various voting wards of said city and has found said returns to show the following results of said election:

<u>Voting Ward</u>	<u>For Adoption of House Bill 34</u>	<u>Against Adoption of House Bill 34</u>
East First	236	6
West First	225	5
Second Ward A	28	0
Second Ward B	74	12
Second Ward C	76	6
West Second	141	13
Third Ward A	87	6
Third Ward B	56	6
Third Ward C	138	14
Third Ward D	58	2
Fourth Ward A	56	1
Fourth Ward B	55	0
Fourth Ward C	111	7
Fourth Ward D	146	3
Fourth Ward E	211	8

<u>Voting Ward</u>	<u>For Adoption of House Bill 34</u>	<u>Against Adoption of House Bill 34</u>
Fourth Ward F	81	2
Fourth Ward G	129	1
Fourth Ward H	88	3
Fifth Ward A	57	19
Fifth Ward B	135	2
Fifth Ward C	69	4
Fifth Ward D	19	0
Sixth Ward A	54	0
Sixth Ward B	12	0
Sixth Ward C	38	0
Sixth Ward D	29	0
Seventh Ward A	69	4
Seventh Ward B	148	0
	2626	130

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That as determined by said canvass of the returns of said election, the provisions of House Bill 34 shall be adopted by the City of Austin.

Which motion, carrying with it the adoption of the resolution, carried by the following votes:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of OSCAR IRA LEACH, 3202 Bailey Lane, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1946 Model, Motor No. DAA3123, State License No. JD-9507, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of ELMER ROBERT MALONE, 1901 Eva Street, for a license to operate as a taxicab a 1940 Model Ford Deluxe Coach, Motor No. 255202, State License No. JE-4430, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of NEAL MERRITT, 1707 Manor Road, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of CLARENCE EURIE JAMES, 88 $\frac{1}{2}$ Rainey Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Johnson moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of THE FOOD MART, by Mrs. Wyatt Stone, Jr., 201 East Riverside Drive, for a retail dealers "On Premise" beer license, duly approved by the City Manager, was submitted. Councilman Johnson moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of HARVEY'S RESTAURANT, 714 Bradford Alley, by Duard Malcolm Elliott, for a wine and beer license, duly approved by the City Manager, was submitted. Councilman Johnson moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The following resolution was submitted:

(RESOLUTION)

WHEREAS, the following named persons owed delinquent taxes to the City of Austin; and

WHEREAS, the City Assessor and Collector has collected the amounts shown herein for the years indicated:

Mrs. A. W. Harris	- 1942, 1943, 1944 -	\$ 490.32
Mrs. Allen Cain	1943, 1944, 1945, 1946	551.48
James W. Cockrell	1943	<u>3.79</u>
		\$1,045.59 ;

and

WHEREAS, on the above accounts penalties and interest in the sum of \$100.02 was collected; Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Tax Assessor and Collector be and is hereby authorized and directed to clear the above accounts as paid for all years indicated.

The resolution was adopted by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Upon motion, seconded and carried, the meeting was then recessed,
subject to call of the Mayor.

Tom Miller

Approved: _____

MAYOR

Attest:

Hellie McKeen

CITY CLERK